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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,322	10/23/2003	Leonardo E. Blanco	MSI-1716US	8609
22801	7590	04/09/2007		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER OSBERG, THUY THANH	
			ART UNIT 2179	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/09/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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lhptoms@leehayes.com

Office Action Summary	Application No.		Applicant(s)	
	10/692,322		BLANCO ET AL.	
	Examiner		Art Unit	
	Thuy Osberg		2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to amendment filed 03/05/2007 to the original application filed 10/23/2003. **This action is made Non-Final.**
 - A. Claims 1-32 are pending in the application.
 - B. Claims 9, 22 and 27 were amended.

Response to Arguments

2. Applicant's arguments filed 03/05/2007 have been fully considered. The references have been withdrawn. Therefore, rejected to claims 1-32 is a new-ground rejection.

Claim Rejections - 35 USC § 112

3. **The following is a quotation of the second paragraph of 35 U.S.C. 112:**

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. **Claim 18-21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

As claims 18-19 and 21, the phrase "The method recited in claim 17" in the first line of the claims 18-19 and 21, there is insufficient antecedent basis for this limitation in this claim.

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As such, claim 20 is rejected as incorporating the deficiencies of a claim upon which it depends. Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 8 and 16-32 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As to claims 8, 16, 17, 22 and 27, a “computer-readable medium” is being recited; however, as disclosed by the specification sections, the Applicant has provided evidence that the Applicant intends the “medium” to include signals. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore this claim(s) is/are not statutory. Energy is not a series of steps or acts and thus is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefore not a composition of matter.

As such, claims 18-21, 23-26 and 28-32 are rejected as incorporating the deficiencies of a claim upon which it depends.

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As to claim 9, a “computer-executable method” is being recited; however, as disclosed by the specification, a method is taught to be abstract idea, which lacks a useful, concrete, and tangible result when used in the computer system.

As such, claims 10-16 are rejected as incorporating the deficiencies of a claim upon which it depends.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Jones et al. (US Patent 5,363,483), hereinafter “Jones”.

The Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the Applicant. Although the specified citations are representation of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. The Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the Applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the Examiner.

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As claim 1, Jones teaches a computer-executable method (Abstract, col. 10, lines 50-60), comprising:

determining if a child window of a parent window is a legacy window (fig. 10; col. 8, lines 63-67; col. 9, lines 1-10);

if so, causing the child window output to be redirected to an off-screen buffer (col. 10, lines 18-21; fig. 11; col. 10, lines 40-46);

retrieving the child window output from the off-screen buffer (col. 10, lines 24-26);

applying a visual enhancement to the child window output (col. 6, lines 14-18);

and composing a visual representation of the parent window with the visually enhanced child window output (fig. 4, col. 3, lines 36-44; col. 4, lines 32-35, that the visual representation is performed by the application program).

As claim 2, Jones further teaches the legacy window is configured to be administered by a legacy display component having fewer visual enhancements than a Media Integration Layer (MIL) component (col. 5, lines 44-49; col. 6, lines 5-13).

As claim 3, Jones further teaches causing the child window output to be redirected comprises instructing the legacy display component to redirect the child window output to the off-screen buffer (col. 8, lines 3-16).

As claim 4, Jones further teaches the legacy display component comprises a user subcomponent and a Graphics Device Interface subcomponent (col. 10, lines 53-60).

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As claim 5, Jones further teaches the visual enhancement comprises a selected one or more from a group comprising re-sizing, re-shaping, relocating window component output, applying transparency, rotating and translating window component output, and applying a texture or visual effect to the window component output (col. 8, lines 10-16).

As claim 6, Jones further teaches the visual enhancement comprises scaling the child window output to reflect a different screen resolution than originally applicable (col. 4, lines 7-13 (e.g. color, resolution); fig. 5, label 30c; col. 6, lines 1-4; col. 8, lines 10-16).

As claim 7, Jones further teaches composing the visual representation of the parent window is performed by the MIL component (fig. 4, col. 3, lines 36-44; col. 4, lines 32-35, that the visual representation is performed by the application program).

As claim 8, Jones further teaches a computer-readable medium having computer-executable instructions for performing the method recited in claim 1 (Abstract, fig. 1, label 18; col. 10, lines 50-60).

As claim 9, Jones teaches a computer-executable method (Abstract, col. 10, lines 50-60), comprising:
receiving a notification that an input event occurred (col. 7, lines 23-28), the input event including a location on a screen display (Abstract, col. 1, lines 49-57), the location being within a boundary of a parent window that includes at least one child window (col. 1, lines 49-57; fig. 10; col. 10, lines 26-40), the parent window being compatible with a MIL

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component (fig. 4, col. 3, lines 36-44; col. 4, lines 32-35, that the visual representation is performed by the application program);

determining where on the parent window the input event occurred by (col. 2, lines 54-62):

evaluating the notification to identify which of a plurality of windows corresponds to the location (col. 7, lines 23-32);

if the location is within a boundary of a non-legacy child window (col. 1, lines 49-57), evaluating where on the non-legacy child window the input event occurred (col. 7, lines 23-32);

if the location is within a boundary of a legacy child window (col. 1, lines 49-57), that does not have native capability to interact with the MIL component, referring the notification to a legacy display component (fig. 8; fig. 9; col. 7, lines 23-43, bit masks will be updated to notify the appropriate window); and notifying an appropriate child window of the input event, the appropriate child window corresponding to the location (Abstract; col. 1, lines 49-57; col. 7, lines 23-28).

As claim 10, Jones further teaches:

receiving a notification that the input event occurred within a boundary of a second child window, the second child window being a child of the first child window (col. 1, lines 49-57, the event occurred within a object), and repeating the determination step for the first child window (col. 7, lines 23-32, messages periodically sent to each object).

As claim 11, Jones further teaches evaluating the notification comprises evaluating data structures associated with the MIL component that describe relationships between the parent window and a plurality of child windows on the parent

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window (col. 7, lines 23-57, each object contains bit mask that describe relationships).

As claim 12, Jones further teaches the data structures do not include information about other windows that are legacy children of legacy child windows on the parent window (fig. 5, Window 22 and Window 24; col. 5, lines 50-59, they both maintain there own data structure).

As claim 13, Jones further teaches the data structures include information about other windows that are non-legacy children of legacy child windows on the parent window (fig. 5, label 32; col. 4; lines 2-6).

As claim 14, Jones further teaches determining step is a cooperative process between the MIL component and the legacy display component (col. 6, lines 5-13; col. 10, lines 53-60, that all components along with the operating system must function together).

As claim 15, Jones further teaches the legacy display component maintains information about the layout of legacy child windows, and wherein the MIL component maintains information about the layout of non-legacy child windows (fig. 1, labels, 16, 38, 40; fig. 5, labels 30, 32, 50, 52, that each window associated with an application maintains it's own data structure).

As claim 16, Jones further teaches a computer-readable medium having computer-executable instructions for performing the method recited in claim 9 (Abstract,

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fig. 1, 18; col. 10, lines 50-60).

As claim 17, Jones teaches a computer-executable medium having computer executable components 9 (Abstract, fig. 1, label 18; col. 10, lines 50-60), comprising a user component configured to create an off-screen buffer upon detecting the presence of a legacy child window of a parent window (fig. 4; col. Lines 23-32; col. 8, lines 17-31; col. 10, lines 53-60, that the application and component control the operation); a GDI component configured to redirect window output from the legacy child window upon being notified by the user component of the existence of the legacy child window (fig. 4; col. Lines 23-32; col. 8, lines 17-31; col. 10, lines 53-60, that the application and component control the operation via exchanging messages); and a MIL component configured to apply a visual enhancement to the redirected window output in connection with composing the parent window for display on a display device (fig. 4; col. Lines 23-32; col. 8, lines 17-31; col. 10, lines 53-60, that the application and component control the operation and compose the display of all objects).

As claim 18, Jones further teaches the user component maintains data structures that describe a layout and position of the legacy child window and its legacy children (fig. 5, label 32; lines 2-6).

As claim 19, The method recited in claim 17, wherein the MIL component maintains data structures that describe a layout and position of the parent window and its children (fig. 5, label 32; lines 2-6).

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As claim 20, Jones further teaches the visual enhancement is at least one of a plurality of visual enhancements comprising re-sizing, re-shaping, relocating window component output, applying transparency, rotating and translating window component output, applying a texture or visual effect to the window component output (col. 8, lines 10-16), and scaling the legacy child window output to reflect a different screen resolution than originally applicable (col. 4, lines 7-13 (e.g. color, resolution); fig. 5, label 30c; col. 6, lines 1-4; col. 8, lines 10-16).

As claim 21, Jones further teaches the MIL component is further configured to interact with the user component and the GDI component (col. 10, lines 53-60) to identify a location on a child window of the parent window corresponding to a location of an input event (Abstract; col. 1, lines 49-57; col. 7, lines 23-28).

As claim 22, Jones teaches a computer-readable medium having computer executable instructions comprising:
in a system having a display component for issuing instructions to notify a parent window of the child window of the creation of a redirected child window (Abstract; col. 7, lines 23-32), means for notifying the parent window that the redirected child window is being or has been set up (col. 7, lines 23-32, that a message will update the data structures):

As claim 23, Jones further teaches the means for notifying the parent comprises a window message indicating that the redirected child window is being created (Abstract; col. 7, lines 23-32, the when an object is created, a refresh is initiated after receiving the message).

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As claim 24, Jones further teaches the window message includes a window handle to the redirected child window (col. 7, lines 23-32).

As claim 25, Jones further teaches the means for notifying the parent comprises a window message indicating that the redirected child window is about to be shown (col. 7, line 23-32, that the message is part of the refreshing process).

As claim 26, Jones further teaches the window message includes a window handle to the redirected child window (col. 7, lines 23-32).

As claim 27, Jones teaches a computer-readable medium having computer executable instructions (Abstract, fig. 1, label 18; col. 10, lines 50-60).

comprising:

in a system having a display component for issuing instructions (fig. 1, labels 14, 18; col. 10, lines 50-60) to notify a parent window of a child window of the creation of a redirected child window, means for notifying the parent window of a change that affects the redirected child window (col. 7, lines 23-67).

As claim 28, Jones further teaches the means for notifying the parent comprises a window message indicating that the redirected child window has been updated (col. 7, lines 23-42).

As claim 29, Jones further teaches the window message further comprises information that describes the change to the redirected child window (col. 7, lines 23-32).

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As claim 30, Jones further teaches the means for notifying the parent comprises a window message indicating that the redirected child window has experienced a change in z-order (col. 6, lines 5-13; col. 7, lines 14-32, that a change in display order is sent via a message).

As claim 31, Jones further teaches the window message further comprises a handle to a previous window in the z-order (col. 6, lines 5-13; col. 7, lines 14-32, that a change in display order is sent via a message with contains information about the previous order and the requested order).

As claim 32, Jones further teaches the means for notifying the parent comprises a window message indicating that the redirected child window has been destroyed (Abstract; col. 7, lines 23-32, the when an object is removed (destroyed), a refresh is initiated after receiving the message).

Conclusion

9. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider these references fully when responding to this action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Osberg whose telephone number is 571-270-1258.

The

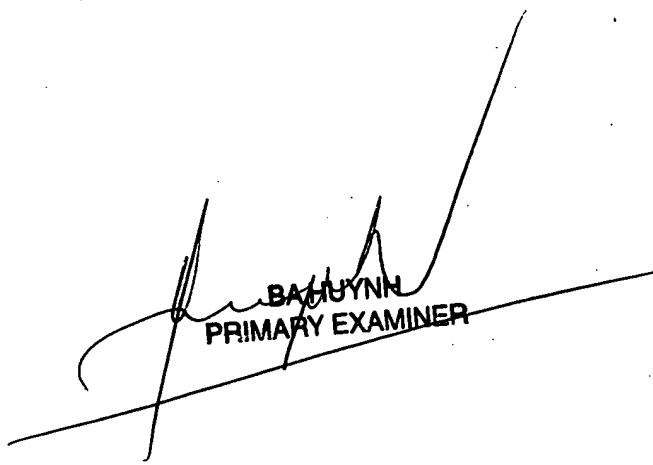
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examiner can normally be reached on Monday-Friday (8:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TTO



BA GUYNH
PRIMARY EXAMINER